

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 021-08 122 LA PLATA MODIFICATION(S) MARCH 26, 2008

APPLICATION OF DAWN SHERRY FOR BARBARA SCHARF, 122 LA PLATA, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, APN 045-211-016, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2004-00823)

The 6,500 square foot project site is currently developed with a single-family residence and attached one-car garage. The proposed project involves a remodel, conversion of the existing garage to habitable space, 490 square feet of new first floor area, and 827 square feet of second floor additions. The discretionary application required for this project is a Modification to permit window alterations within the required front yard setback (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, March 19, 2008.
- 2. Site Plans
- 3. Correspondence received in support of the project:
 - a. Shelly Azbell Garvey, 1232 Shoreline Drive, Santa Barbara, CA 93109
- 4. Correspondence received in opposition to the project:
 - a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109
 - b. Marjorie G. Hunt, 109 Las Ondas, Santa Barbara, CA 93109
 - c. Mac Bakewell, 126 La Plata, Santa Barbara, CA 93109
 - Tony Fischer (for Mac Bakewell), 2208 Anacapa Street, Santa Barbara, CA 93105

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NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approved the project, making the findings that the Modification consisting of a window alteration within the existing footprint of the structure, and a pop-out window modification that does not add floor area, are necessary to secure an appropriate improvement to allow upgrades to an existing structure and meets the purpose and intent of the Ordinance to allow for an appropriate improvement of the property as no new square footage will be added nor any further encroachment toward the front yard open space be allowed within the required setback. Said approval is subject to the condition that the building plans for the project include "as-built" drawings of the portion of the building that encroaches into the front setback; including floor plans, elevations and sections, which show the building height at relevant points on the structure, structural members, including foundation, plates, studs, floor joists, ceiling joists, roof rafters, and other relevant structural members. And a condition that staff and the applicant revise the north facing window to ensure that it does not encroach further into the front yard and further that the Single Family Design Board look at addressing neighborhood concerns.

This motion was passed and adopted on the 26th day of March, 2008 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Kathleen Goo, Staff Hearing Officer Secretary

4/3/0S Date

PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- If you have any existing zoning violations on the property, other than those included in the 2. conditions above, they must be corrected within thirty (30) days of this action.
- 3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 4. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 5. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - The approved use has not been discontinued, abandoned or unused for a period of six b. months following the earlier of:
 - an Issuance of a Certificate of Occupancy for the use, or; i.
 - ii. one (1) year from granting the approval.